

dy, Ford, Merriman, Reaves, Taylor, Williams and Wilson—12.

Mr. Gray moved to amend the first section by striking out the words "in any manner except by direct taxation."

On motion of Mr. Davis, the Senate adjourned until 10 o'clock tomorrow morning.

WEDNESDAY, January 28, 1852.

The Senate was called to order by the President pursuant to adjournment—prayer by the Rev. Mr. Baggerly—roll called—quorum present.

The journal of yesterday was read and adopted.

A message was received from the House, informing the Senate that the House had passed a bill to provide for the liquidation and payment of the debt of the late Republic of Texas, with amendments; and also, a bill to define the time of holding the courts in the twelfth judicial district; and that the House had concurred in the Senate's amendments to a bill for the relief of Benjamin Hubert.

Mr. Eddy presented the following protest:

To Hon. J. W. HENDERSON,

President of the Senate:

The undersigned respectfully protest against the passage of a bill to be entitled an act to quiet land titles within the limits of Peters' colony, and to provide for locating and surveying the lands and issuing the certificates and patents to which the colonists and contractors are entitled, as the yeas and nays were not entered on the journals when the vote was taken upon the bill on the 24th instant. The undersigned desire to state that they were opposed to the passage of the bill, and voted against it because they believed that injustice was done to the State. Take the most favorable view of the subject, by allowing the contractors the full benefit of the statement in the report of the committee, which gives them the benefit of the certificates issued by the State commissioner, and the contractors would only be entitled to eleven hundred and seventy-eight sections, if they had fulfilled their contracts in good faith. The bill proposes to give the contractors seventeen hundred sections in order to settle the difficulties between them and the settlers. This will be five hundred and twenty-two sections more than they are entitled to according to the committee's report, which we believe gives them several hundred sections more than they are *justly* entitled to according

to the terms of their contracts, and the laws of Texas. We will here state that we would gladly have voted for a bill to quiet the titles of the settlers to their lands in Peters' colony, and we believe that the Legislature could have settled the matter in spite of the threats of the contractors. We would be willing to do the contractors justice, but we are not willing to hire them to do the settlers justice. Believing it to be bad policy to suffer companies to accumulate immense bodies of land in the State, we were opposed to giving the contractors a larger amount of land than we believed them to be justly entitled to.

JON W. DANCY.

Z. WMS. EDDY.

T. H. DUGGAN.

Mr. Wilson, chairman of the committee on Education, to which was referred a bill to incorporate the Chappel Hill male and Female Institute, reported the same back and recommended its passage.

Mr. Davis, from the committee on Internal Improvements, to which was referred a bill to provide for the constructing of railroads in Texas, reported the same back, and recommended that it be rejected.

Mr. Davis, from the committee on Finance, to which was referred a joint resolution for the payment of George T. Wood two thousand one hundred dollars, reported the same back for the consideration of the Senate.

Mr. Davis, chairman of the committee on State Affairs, to which was referred a bill to amend the several acts for the incorporation of the city of Austin, reported the same back and recommended its passage.

Mr. Davis, chairman of the same committee, to which was referred a joint resolution fixing the term of office of the Commissioner of the General Land Office, reported the same back and recommended its passage.

Mr. Eddy, from the committee on State Affairs, to whom was referred the joint resolution relative to the meritorious services of Adolphus Sterne, reported a substitute therefor, and recommended its passage.

Mr. Eddy, chairman of the committee on Contingent Expenses, made the following report :

The committee on Contingent Expenses, to whom was referred the resolution of the Senate, instructing said committee to contract for a portrait painting of the late General Edward Burleson, Senator from the 21st Senatorial district, in the discharge of the duty assigned them, with sincere gratification beg leave to report

that they contracted with Mr. Flintoff, the artist of this city, who has completed a most excellent painting of the distinguished deceased.

The same has been completed at a cost of one hundred and twenty dollars, and now graces the wall of the Senate chamber, as a small but sincere token of respect to the memory of one of the early benefactors of Texas.

Mr. Gray, chairman of the committee on the Judiciary, made the following report:

The committee on the Judiciary, in obedience to a resolution of the Senate, instructing them to revise the criminal laws, have partially discharged that duty, and herewith submit a bill to be entitled an act concerning crimes committed by negroes, designed to supply a deficiency in the criminal code, which the country has sensibly felt for several years past. The committee are aware that the bill is not so complete as could be desired; but that it will accomplish some good they reasonably hope, and recommend its favorable consideration and passage.

Mr. Dancy, from the committee on Claims and Accounts, to which was referred the petition of Mrs. Jane Lockhart, made the following report:

SENATE CHAMBER, January 22, 1852.

To the Hon. J. W. HENDERSON,

President of the Senate:

The committee on Claims and Accounts, to whom was referred the petition of Jane Lockhart, asking for relief, mainly for losses sustained by the burning of San Felipe, have instructed me to report the matter back to the Senate, and ask to be discharged from the further consideration thereof, as the committee think it inexpedient to grant relief to one person who suffered by the burning of San Felipe, unless the Legislature determines to grant relief to all who lost property by the burning of that town.

JON W. DANCY, One of the committee.

Mr. Sterne, chairman of the committee on the Penitentiary, to which was referred a bill supplementary to an act to establish a State Penitentiary, reported the same back, and recommended its passage.

Mr. Davis, from the committee on Internal Improvements, to which was referred a bill for the incorporation of the Texas Central Railroad company, reported the same back, and recommended its passage.

Mr. Grimes introduced a bill making appropriations for the support of the State Government for the years 1852 and 1853; read first time.

On motion of Mr. Reaves, the rule was suspended, bill read second time, and referred to the committee on Finance.

On motion of Mr. Merriman, the bill concerning offences committed by negroes, was taken up, the rule suspended, bill read second time, and ordered to be engrossed.

On motion of Mr. Hill, the bill to define the time of holding the district courts in the third and ninth judicial districts, was taken up and read.

On motion of Mr. Parker, that portion of the bill relating to the ninth judicial district was struck out.

On motion of Mr. Hill, the rule was suspended, and the bill as amended read and ordered to be engrossed.

On motion of Mr. Hill, the rule was further suspended, and the bill read third time and passed.

ORDERS OF THE DAY.

A bill to incorporate the Aransas and Goliad Road company ; read.

Mr. Duggan offered a substitute to be entitled an act to incorporate the Aransas road company ; adopted, and bill ordered to be engrossed.

Joint resolution proposing an amendment to the constitution of the State of Texas, was read, and made the special order for tomorrow.

A bill for the relief of P. H. Pearson, was read.

Mr. Hill moved to amend by striking out "P. H. Pearson," in caption, and insert "David Andrews." Also, in first section, the words "P. H. Pearson, as assignee of David Andrews," and insert in lieu of "P. H. Pearson," the words "David Andrews;" adopted, and bill ordered to be engrossed.

A bill to create the county of Orange ; read second time, and passed to third reading.

A bill for the liquidation and payment of the debt of the late Republic of Texas, with the amendments of the House thereto, was taken up, and the amendments severally read and adopted.

On motion of Mr. Hart, Mr. Day was excused from attendance on the Senate for a few days.

Mr. Davis, chairman of the committee on State Affairs, to whom was referred a bill for the relief of all persons that were made prisoners by the Government authorities of the United States, under Col. Jacob Snively, by leave, reported the same back, and recommended that no further action be taken thereupon.

Mr. Davis, from the committee on Internal Improvements, to which was referred a bill supplementary to an act establishing

the Galveston and Red River Railway company, by leave, reported a substitute for the same, and recommended its passage.

Mr. Davis, from the same committee, to which was referred a bill to incorporate the Brownsville Railroad company, by leave, reported the same back, and recommended its passage.

A bill to authorize the Auditor to settle the accounts of William G. Cooke, as late Quarter-Master General ; read third time and passed.

A bill making appropriations for the improvement of the rivers, together with the substitute offered by the committee on Internal Improvements, to the first and second sections, was taken up.

Mr. Wilson moved to amend the substitute for the first and second section by inserting in lieu thereof, the following, which was adopted, to wit :

Amendment.

SECTION 1. *Be it enacted by the Legislature of the State of Texas*, That the sum of \$33,000 be, and the same is hereby appropriated to the improvement of the navigation of the Sabine river.

That the sum of \$37,500 be, and the same is hereby appropriated to the Trinity river.

That the sum of \$37,500 be, and the same is hereby appropriated to the Brazos river.

That the sum of \$37,500 be, and the same is hereby appropriated to the Colorado river.

That the sum of \$23,000 be, and the same is hereby appropriated to the Neches and the Angelina rivers.

That the sum of \$21,500 be, and the same is hereby appropriated to the Guadalupe river.

That the sum of \$6,000 be, and the same is hereby appropriated to the San Antonio river.

That the sum of \$18,000 be, and the same is hereby appropriated to Ferry Lake, the Cypresses, and the Sulphur Fork of Red river.

That the sum of \$17,000 be, and the same is hereby appropriated to Red river.

That the sum of \$4,000 be, and the same is hereby appropriated to Buffalo Bayou.

That the sum of \$4,000 be, and the same is hereby appropriated to the San Jacinto river.

That the sum of \$3,000 be, and the same is hereby appropriated to the San Bernard river.

That the sum of \$3,000 be, and the same is hereby appropriated to the Lavaca and the Navidad rivers. And

That the sum of \$5,000 be, and the same is hereby appropriated to the Nueces river.

On motion of Mr. Davis, the Senate adjourned until 3 o'clock p. m.

3 O'CLOCK. P. M.

Senate met—roll called—quorum present.

A bill making appropriations for the improvement of the rivers, being under consideration when the Senate adjourned, was taken up.

Mr. Bogart offered to amend the second section as follows:

Add to the clause making an appropriation for the Trinity river, the following words: "to be applied as follows: eighteen thousand seven hundred and fifty dollars above Magnolia, and eighteen thousand seven hundred and fifty dollars below Magnolia."

Mr. Davis moved that the amendment offered by Mr. Bogart lie on the table; lost.

The question recurred on the adoption of the amendment, on which the yeas and nays were as follows:

YEAS—Messrs. Bigelow, Bogart, Burks, Dancy, Duggan, Eddy, Hart, Hill, Meusebach, Reaves, Taylor, Williams and Wilson—13.

NAYS—Messrs. Davis, Ford, Gray, Grimes, Kinney, Merri-man, Parker and Truit—8; adopted.

On motion of Mr. Taylor, the substitute as amended was then adopted.

Mr. Davis moved to strike out the words in first section as follows: "eighteen thousand seven hundred and fifty dollars above Magnolia, and eighteen thousand seven hundred and fifty dollars below Magnolia," on which the yeas and nays were called, and were as follows:

YEAS—Messrs. Bigelow, Burks, Davis, Doane, Duggan, Eddy, Ford, Gray, Grimes, Kinney, Merriman, Parker, Reaves, Truit and Wilson—15.

NAYS—Messrs. Bogart, Dancy, Hart, Hill, Meusebach, Taylor and Williams—7; carried.

Mr. Grimes offered the following amendment:

In section 2, line three, strike out "\$37,500," and insert "\$35,000."

In section 2, line five, strike out "\$37,500," and insert "\$35,000."

In section 2, line 21, strike out "\$4,000," and insert "\$9,000;" lost.

Mr. Bogart offered the following amendment:

Strike out of the twelfth line of the third section, the words "by the present session of the Legislature," and insert "by the Governor of this State, by and with the advice and consent of the Senate;" adopted.

Mr. Meusebach offered the following amendment:

Strike out in section 2, the amounts appropriated for the Guadalupe, (\$21,500,) and the San Antonio, (\$6,000,) and insert in lieu thereof, "that the sum of \$18,000 is appropriated to the Guadalupe;" and "that the sum of \$9,500 is appropriated to the San Antonio."

A bill supplementary to an act to incorporate the city of Lavaca; read second time, and, on motion of Mr. Wilson, referred to the committee on the Judiciary.

Mr. Bogart, chairman of the Select committee, to which was referred a bill to incorporate the Vicksburg and El Paso Railroad company, reported a substitute for the same, and recommended its passage.

On motion of Mr. Kinney, the Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, January 29, 1852.

The Senate was called to order by the President pursuant to adjournment—prayer by the Rev. Mr. Baggerly—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Bigelow presented the petition of sundry citizens of Cameron county; read and referred to the committee on the Judiciary.

Mr. Gray presented the petition of Jesse Whiting; referred to the committee on Public Debt.

Mr. Wilson, from the committee on the Judiciary, reported back to the Senate a bill supplementary to an act to incorporate the city of Lavaca, and recommended its passage.

Mr. Reaves, chairman of the committee on Engrossed Bills, reported the following bills correctly engrossed, to wit:

A bill for the relief of George W. Browning;

A bill for the relief of the heirs of Mrs. Nancy Anderson;

A bill for the relief of Alexander McKenzie;

A bill supplementary to an act, approved January 28, 1850,